

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**TANYA RUTNER HARTMAN, and
GILDED SOCIAL,**

Plaintiffs,

V.

AMY ACTON, :
In her official capacity as Director of the Ohio :
Department of Health, :

Defendant.

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 : **Case No. 2:20-CV-1952**
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 : **Chief Judge Algenon L. Marbley**
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 : **Magistrate Judge Jolson**
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ORDER


This matter is before the Court following the telephonic status conference between the parties on May 6, 2020 at 3:15 p.m. During the status conference, Plaintiffs indicated that they had filed an amended complaint and that they no longer require preliminary injunctive relief. Therefore, the preliminary injunction hearing set for Monday May 11, 2020 is **CANCELLED**. Plaintiffs also clarified that their new complaint no longer pursues any class claims or claims pursuant to state law or the Ohio Constitution. Instead, Plaintiffs indicated that their complaint addresses only a due process violation of the Fourteenth Amendment to the U.S. Constitution. Plaintiffs also noted that while they were no longer seeking preliminary injunctive relief, they sought expedited review of their claims in case the Director's Stay at Home order is renewed in the fall. Accordingly, the Court approved of the following schedule for Defendant's motion to dismiss and discovery.

May 15, 2020	Defendant's Motion to Dismiss
May 18, 2020	Responses to Interrogatories (both parties)
May 22, 2020	Plaintiff's Response

May 27, 2020	Defendant's Reply
May 26, 2020	Joint Discovery Schedule

For the reasons stated above, Plaintiff's Motion for a Preliminary Injunction (ECF No. 2) Defendant's Motion to Consolidate the Preliminary Injunction Hearing with Trial (ECF No. 12), Defendant's Motion to Dismiss (ECF No. 13), and Defendant's Motion to Stay (ECF No. 14) are all **DENIED as MOOT**.

IT IS SO ORDERED.



ALGENON L. MARBLEY
CHIEF UNITED STATES DISTRICT JUDGE

DATE: May 7, 2020